

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 11556 of 2002

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

- =====
- Whether Reporters of Local Papers
1 may be allowed to see the
judgment ?
- 2 To be referred to the Reporter or
not ?
- 3 Whether their Lordships wish to see
the fair copy of the judgment ?
- Whether this case involves a
substantial question of law as to
4 the interpretation of the
constitution of India, 1950 or any
order made thereunder ?
- 5 Whether it is to be circulated to
the civil judge ?

=====

BHANUMATI CHIMANLAL KAPADIA & 18 - Petitioner(s)
Versus
COMPETENT AUTHORITY UNDER SAFEMA & 3 -
Respondent(s)

=====

Appearance :

MR RS SANJANWALA for Petitioner(s) : 1 - 19.
MR JITENDRA MALKAN for Respondent(s) : 1 - 3.
MR PJ MALKAN for Respondent(s) : 2,
MS PJ DAVAWALA for Respondent(s) : 3,
RULE SERVED BY DS for Respondent(s) : 4,

=====

CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 13/03/2006

ORAL JUDGMENT

1 Learned Senior Advocate appearing on behalf of the petitioners makes the following statement in presence of one of the petitioners Shri Gaurang Kapadia :

"That the petitioners have filed appeal before the Safema Tribunal against the order of competent authority Under Safema. The matter is likely to be heard in the month of April,2006.

The petitioners have challenged the order of detention passed against the detenue in this petition.

The petitioners hereby withdraw the abovementioned Spl.C.A. with a view to pursue the appeal before the Safema Tribunal. Since Safema Tribunal cannot decide the validity of the detention order, the petitioners reserve their rights to challenge the same by the writ petition if the order of Safema Tribunal is rendered against the

petitioners and they are required to challenge challenge the detention order along with the order of the Safema Tribunal.

Petitioners further request that the interim relief which is granted by this Honourable Court be continued till the hearing of appeal before the Safema Tribunal".

2. Permission to withdraw the petition is granted. The petition stands rejected as withdrawn in the circumstances. Rule discharged. Interim relief granted earlier by this Court to continue only for a period of fortnight from today so as to enable the petitioners to move the Tribunal in this regard.

Sd/-
(D.A.MEHTA, J)

m.m.bhatt